

IFW

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. <b>17053</b>	
In Re Application Of: <b>Takayuki Suzuki</b>						
<div style="border: 1px solid black; border-radius: 50%; padding: 10px; display: inline-block;"><b>OLPA</b> <b>JAN 26 2005</b> <b>USPTO &amp; TRADEMARK</b></div>						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/670,029	September 24, 2003	Unassigned	23389	3661	4550	
Title: <b>MEDICAL INSTRUMENT</b>						
<p>Address to:</p> <p><b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b></p> <p style="text-align: center;"><b>37 CFR 1.97(b)</b></p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p style="text-align: center;"><b>37 CFR 1.97(c)</b></p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center; margin-left: 100px;"><b>OR</b></p> <p style="margin-left: 40px;"><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>						

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

17053

In Re Application: Takayuki Suzuki

JAN 26 2005

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/670,029	September 24, 2003	Unassigned	23389	3661	4550

Title: MEDICAL INSTRUMENT

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

January 24, 2005

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature of Person Mailing Correspondence

Thomas Spinelli

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

Dated: January 24, 2005

Thomas Spinelli

Reg. No. 39,533

SCULLY, SCOTT, MURPHY &amp; PRESSER

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(516) 742-4343

CC:

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT****(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.

17053

In Re Application Of: **Takayuki Suzuki**

JAN 26 2005

Application No.

Filing Date

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Customer No.

Group Art Unit

Confirmation No.

10/670,029

September 24, 2003

Unassigned

23389

3661

4550

Title: **MEDICAL INSTRUMENT**

Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

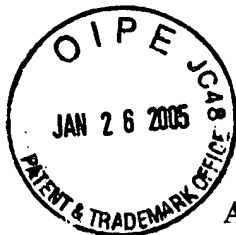
**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Takayuki Suzuki	<b>Examiner:</b>	Unassigned
<b>Serial No.:</b>	10/670,029	<b>Art Unit:</b>	3661
<b>Filed:</b>	September 24, 2003	<b>Docket:</b>	17053
<b>For:</b>	MEDICAL INSTRUMENT	<b>Dated:</b>	January 24, 2005
<b>Conf. No.:</b>	4550		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)**

Sir:

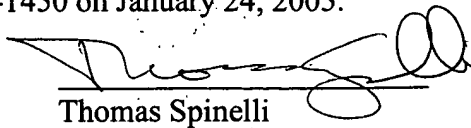
I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

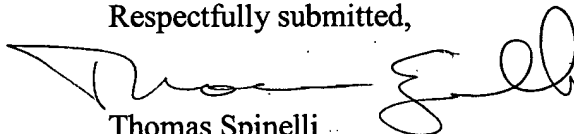
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 24, 2005.

Dated: January 24, 2005

  
Thomas Spinelli

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

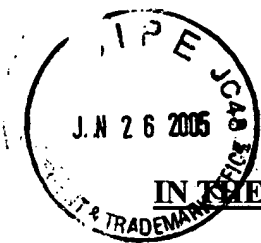
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', written over a horizontal line.

Thomas Spinelli  
Registration No. 39,533

Scully, Scott, Murphy & Presser  
400 Garden City Plaza - Ste. 300  
Garden City, New York 11530  
(516) 742-4343

TS/jam



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Takayuki Suzuki  
**Serial No.:** 10/670,029  
**Filed:** September 24, 2003  
**For:** MEDICAL INSTRUMENT  
**Conf. No.:** 4550  
**Examiner:** Unassigned  
**Art Unit:** 3661  
**Docket:** 17053  
**Dated:** January 24, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following reference, which is also listed on the attached Form PTO-1449, be made of record in the above-identified case.

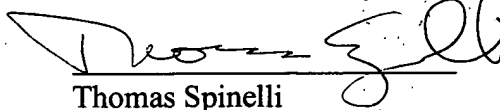
1. United States Patent No. 5,906,630, issued to Anderhub et al., dated May 25, 1999.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 24, 2005.

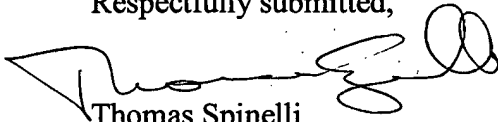
Dated: January 24, 2005

  
Thomas Spinelli

The reference was cited in a Search Report dated December 30, 2004 received from the European Patent Office. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicant is not required to submit a copy of the above-cited U.S. Patent reference. The relevance of the above-identified reference has been described in the Search Report.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

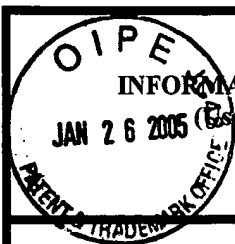
Respectfully submitted,



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TS:jam

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Docket Number (Optional)

17053

Application Number

10/670,029

Applicant(s)

Takayuki Suzuki

Filing Date

September 24, 2003

Group Art Unit

3661

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,906,630	5/25/1999	Anderhub et al.			

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.